



Paper No. 9

MERCHANT & GOULD PC
PO BOX 2903
MINNEAPOLIS MN 55402-0903

COPY MAILED**AUG 1 0 2001****OFFICE OF PETITIONS****DECISION ON PETITION**

In re Application of
Matthew, et al.
Application No. 09/475,365
Filed: December 30, 1999
Attorney Docket No. 40170.3US01

This is a decision on the petition filed on July 9, 2001,
pursuant to 37 CFR 1.137(b), to revive the above-identified
application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to
timely reply to the Notice to File Missing Parts of
Nonprovisional Application, mailed February 10, 2000. This
Notice set a period for reply of two (2) months from the mail
date of the Notice. No extensions of time under the provisions
of 37 CFR 1.136(a) were obtained. Accordingly, the above-
identified application became abandoned on April 11, 2000. The
instant petition precedes the mailing of a Notice of Abandonment.

With the instant petition, petitioner filed an executed
Declaration Under 37 CFR 1.63 in reply to the Notice to File
Missing Parts, and met all other requirements for a grantable
petition under 37 CFR 1.137(b).

The application file is being forwarded to Technology Center 1600
to await petitioner's reply to the Notice to Comply with
Requirements for Patent Applications Containing Nucleotide
Sequence and/or Amino Acid Sequence Disclosures, mailed July 16,
2001.

Telephone inquiries related to this decision should be directed
to Petitions Attorney Cliff Congo at (703) 305-0272.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy